

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION

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UNITED STATES OF AMERICA,

1:12-mj-0114

Plaintiff,

vs.

WAIVER OF RULE 5 HEARING,  
PRELIMINARY HEARING  
AND DETENTION HEARING

JOSHUA MICHAEL BECKSTEAD,

Defendant.

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COMES NOW the Defendant, and hereby states as follows:

1. That I understand that I have a right to a hearing under Rule 5 of the Federal Rules of Criminal Procedure requiring the United States to produce a certified copy of the warrant or a reliable electronic form of the warrant and the right to an identity hearing establishing that I am the person named in the complaint.


2. I also understand that I have the right to a detention hearing under 18 U.S.C. § 3142 and a preliminary hearing under Rule 5.1.

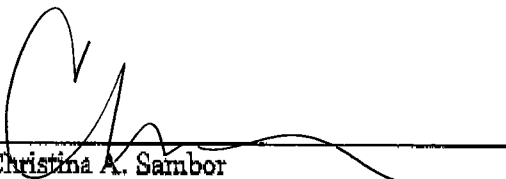
3. I also understand that my right to a Rule 5 hearing and a preliminary and detention hearing may be waived upon advice of counsel, I do hereby, pursuant to the signing of this document, waive my right to a hearing under rules Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and a detention hearing under 18 U.S.C. § 3142. However, I specifically preserve my right to request a preliminary and detention hearing in the United States District Court for the District of Wyoming upon my appearance in that Court to address the charges set forth in the complaint. Furthermore, while I am waiving my right to have an identity hearing in

the district of North Dakota prior to my transport to the District of Wyoming, I maintain all defenses, including any of mistaken identity, that may be available to me during the pendency of future proceedings in this and any other matters.

4. It is my presumption that I do not need to appear, nor does my attorney, at a hearing in this Court regarding the Rule 5, preliminary hearing, and detention issues.

Dated this 10 day of July, 2012.

  
Defendant


  
Christina A. Sambor  
Attorney for Defendant, #06648

I, Christina A. Sambor, Attorney for the Defendant, have advised him of his rights regarding a Rule 5 hearing and a preliminary and detention hearing and have advised him to waive the same pursuant to the contents of this document.

Dated this 10 day of July, 2012.

Respectfully submitted,

Pearce & Durick

By:   
Christina Sambor, #06648  
Individually and as a Member of the Firm  
*Attorneys for Defendant*  
314 East Thayer Avenue  
P.O. Box 400  
Bismarck, ND 58502-0400  
(701) 223-2890

CERTIFICATE OF SERVICE

I hereby certify that on July <sup>10</sup>~~9~~, 2012, the following document(s):

**Waiver Rule 5 Hearing, Preliminary and Detention Hearing**

were filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following:

Gary Delorme  
Gary.Delorme@usdoj.gov

I further certify that copy of the foregoing documents and the Notice of Electronic Filing will be mailed first class mail, postage paid, to the following non-ECF participants:

/s/ Christina A. Sambor

Christina A. Sambor  
Pearce & Durick